

## **REMARKS/ARGUMENTS**

Reconsideration of the application as amended is respectfully requested.

### **Status of Claims**

Claims 1-18 are pending in the application, with claims 1 and 2 being the only independent claims. Claims 1 and 2 have been amended. Claims 17 and 18 have been added. No new matter has been added.

### **Overview of the Office Action**

Claims 1-16 stand rejected under 35 U.S.C. 102(b) as anticipated by Alera Technologies' 1:3 CD Copy Towner 40(*Alera*), which was marketed and published over the Internet.

### **Summary of Subject Matter Disclosed in the Specification**

The following descriptive details are based on the specification. They are provided only for the convenience of the Examiner as part of the discussion presented herein, and are not intended to argue limitations which are unclaimed.

The specification discloses an information processing apparatus. The information processing apparatus includes a first insertion/removal portion (11) that is capable of inserting/removing a first recording medium and at least reading out electronic information from the inserted first recording medium. The first recording medium is an optical information recording medium comprising a memory card. See paragraphs [0012], [0029], [0037] and [0038] of the published specification.

The information processing apparatus further includes a second insertion/removal portion (12) that is capable of inserting/removing a second recording medium and reading out electronic information from and writing electronic information in the inserted second recording medium. The second recording medium is one of a magneto-optical recording medium, a hard disk, and an optical information recording medium different from the first recording medium. *See* paragraphs [0012], [0029], [0037] and [0038] of the published specification.

The information processing apparatus further includes an operating member, such as a copy button (13), which is connected to the first and second insertion/removal portions (11, 12) so as to be able to exchange electronic information and starts an operation of reading out electronic information from the first recording medium and writing the electronic information in the second recording medium. *See* paragraphs [0012], [0037] and [0044] of the published specification.

The information processing apparatus further includes a control means, such as a control unit (16), for controlling exchange of electronic information in the information processing apparatus, and an expression means (14, 19, 20) for expressing an operation state of the information processing apparatus. *See* paragraphs [0012] and [0037] to [0046] of the published specification.

When a state in which a recording medium is inserted into at least one of the first and second insertion/removal portions (11, 12) and electronic information can be read out or written is detected, the expression means (14, 19, 20) indicates or expresses such a state. *See* paragraphs [0012] and [0043] of the published specification.

On the other hand, when a state in which electronic information cannot be read out from or written in a recording medium inserted in at least one of the first and second insertion/removal

portions (11, 12) is detected, the expression means (14, 19, 20) indicates or expresses such a state. *See* paragraphs [0014] and [0045] of the published specification.

## **Arguments**

### **Independent Claim 1**

Applicants respectfully submit that claim 1, as amended, is not anticipated by *Alera* because *Alera* does not disclose, either expressly or inherently, each and every element as set forth in claim 1.

In particular, *Alera* does not teach or suggest that the first recording medium and the second recording medium are of different kinds. The cited 1:3 CD Copy Tower 40 is a CD duplicator, which is capable of simultaneously duplicating up to three copies from a source CD. *See Alera*. That is, the cited 1:3 CD Copy Tower 40 is capable of reading out electronic information from the source CD (first recording medium) and writing such electronic information in up to three CDs (second recording medium). Therefore, the first and second recording medium of *Alera* are of the same kind, not of different kinds.

In sharp contrast, claim 1 of the present application specifically recites “the first recording medium being an optical information recording medium comprising a memory card” and “the second recording medium being selected from the group consisting of a magneto-optical recording medium, a hard disk, and an optical information recording medium different from the first recording medium”. In other words, the first recording medium and the second recording medium of claim 1 are of different kinds.

In addition, *Alera* does not teach or suggest an expression means for expressing an operation state of the information processing apparatus, as recited in claim 1. The Examiner

contends that the “disc info feature” of *Alera* qualifies as an expression means. It is noted, however, that the “disc info feature” of *Alera*, as its title indicates, shows CD properties needed in design. *See Alera*. There is no indication that the “disc info feature” of *Alera* is capable of showing an operation state of the CD duplicator.

In view of the differences, withdrawal of the 35 U.S.C. 102(b) rejection of claim 1 is respectfully requested.

Moreover, applicants respectfully submit that the above-discussed differences between claim 1 and *Alera* clearly and patentably distinguish claim 1 thereover under 35 U.S.C. 103.

#### Independent Claim 2

Applicants respectfully submit that claim 2, as amended, is not anticipated by *Alera* for reasons discussed above in connection with claim 1. Withdrawal of the 35 U.S.C. 102(b) rejection of claim 2 is, therefore, respectfully requested.

#### Dependent Claims 3-18

Claims 3, 5, 7, 9, 11, 13, 15 and 17 depend, either directly or indirectly, from independent claim 1 and, thus, each is allowable therewith.

Claims 4, 6, 8, 10, 12, 14, 16 and 18 depend, either directly or indirectly, from independent claim 2 and, thus, each is allowable therewith.

In addition, these claims include features which serve to even more clearly distinguish the claimed invention over the prior art of record.

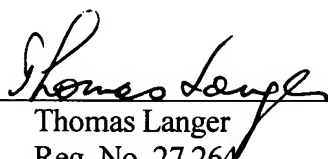
### **Conclusion**

Based on all of the above, it is respectfully submitted that the present application is now in proper condition for allowance. Prompt and favorable action to this effect and early passing of this application to issue are respectfully solicited.

Should the Examiner have any comments, questions, suggestions or objections, the Examiner is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

Respectfully submitted,

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